

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

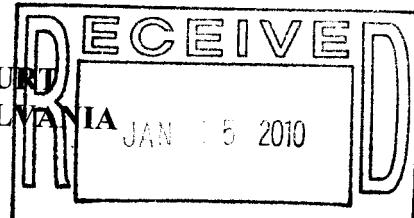
SCHILLER GROUNDS CARE, INC.

Plaintiff,

Civil Action No. 2:09-cv-03258 (ECR)

THE TORO COMPANY

Defendant.



**JOINT MOTION TO DISMISS**

In view of a confidential settlement agreement between Plaintiff Schiller Grounds Care, Inc. ("Schiller") and Defendant The Toro Company ("Toro"), the Parties hereby jointly move to dismiss all claims, defenses, and counterclaims in the present action, with prejudice and without costs, in accordance with Local Rule 41.1(b).

Dated: January 15, 2010

Respectfully submitted,

By: \_\_\_\_\_ s/

John D. Simmons (PA ID No. 202405)  
Martin G. Belisario (PA ID No. 62641)  
Stephen E. Murray (PA ID No. 203683)  
PANITCH SCHWARZE BELISARIO &  
NADEL LLP  
One Commerce Square  
2005 Market Street - Suite 2200  
Philadelphia, PA 19103-7086  
Telephone: (215) 965-1330  
Facsimile: (215) 965-1331  
E-Mail: jsimmons@panitchlaw.com

Attorneys for Plaintiff  
Schiller Grounds Care, Inc.

By: \_\_\_\_\_ s/

J. Derek Vandenburg (admitted *pro hac vice*)  
Joseph W. Winkels (admitted *pro hac vice*)  
CARLSON, CASPERS, VANDENBURGH &  
LINDQUIST, P.A.  
225 South Sixth Street, Suite 3200  
Minneapolis, MN 55402  
Phone: 612-436-9600  
Fax: 612-436-9605  
dvandenburg@ccvl.com  
jwinkels@ccvl.com

Attorneys for Defendant  
The Toro Company

*Order*  
\_\_\_\_\_  
*Motion is granted. The  
case is dismissed.*

1/21/10.

*DeCicco*